

REMARKS

The allowance of claims 1-3, 8, 10, 12, and 17-20 is noted and appreciated. Claims 5, 9, 11, and 30-32 have been objected to as being dependent from a rejected base claim (claim 22). These remain in the application, since it is respectfully submitted that claim 22 as now amended, is believed patentable over the cited references, and its allowance will result in the allowance of these rejected dependent claims.

Admittedly, certain of the prior art references disclose some of the features set forth in some of the dependent claims as set forth in the Office Action. Applicant, however, does not understand the applicability of Barnes (5,230,282), as set forth in the Office Action, especially with respect to claims 4, 6, and 27. Claim 4 specifies that a receptacle has a substantially first side 36 extending along the frame, a curved bottom 40, and a second side 39 terminating in a top end, with the second side being biased towards the first side by the curvature of the bottom. Claim 5 specifies that the top end 43 of the second side 39 of the receptacle terminates in an outwardly curved configuration. Claim 27 specifies that a cord holder 49 and cutter mechanism 55 is mounted on the lid.

Arguably, Barnes does show a U-shaped metal mesh screen, as set forth in the Office Action, which includes first and second sides. However, Applicant strongly disagrees that the second side is biased in any fashion towards the first side especially by the curvature of the bottom, since side 23 is fixed in a rigid outwardly extending direction. The term bias infers that it has the tendency to move toward the first side which is clearly not shown and is absent from Barnes. Also, there is absolutely no curved configuration of any type on the top end of the second side of the receptacle in Barnes as set forth in claim 5, since the second side 23 in Barnes is completely straight. See Figs. 1-4.

It is respectfully requested that should the Examiner still believe such a rejection is proper, that he specifically disclose how the second side of the fixed wire basket of Barnes is bias towards the first side by a curved bottom, and where there is a curved outer end on the top end of the second side so a proper response can be made thereto.

Most importantly, main independent claim 22 was rejected in view of Perelli (6,497,423). The Office Action states that Perelli teaches a cart in combination with a plurality of rigid rectangular containers 188, 30, which has a plurality of shelves 24, 28 for supporting the containers in a vertical relationship where they are horizontally placed and having all sides, including the front sides, open, and that a lid 32 is pivotally connected to the cart for covering the uppermost container 30, which has a shape complementary to the container (Fig. 5), and that it includes latching elements 178, 180 for engaging a portion of the container (e.g. 157) clipping over a rim 154 thereof, and forming a closure for it.

Applicant respectfully disagrees with this interpretation of Perelli for the following reasons. Applicant cannot locate anyplace in the application where elements 188 and 30 are rectangular containers, since they are clearly defined and referred to as door panel 188 and compartment base 30. Door panel and compartment base are completely different from rigid containers which are slidably received and supported on upper and lower support shelves, which support the container in a stacked spaced vertical aligned relationship as now defined in claim 22. These elements form a fixed storage compartment 186 as discussed below.

The Office Action in response to Applicant's previous comments specifies that Perelli is designed for use with at least one further container (column 7, lines 40-50). This is a refuge container which seats upon surface 34 of a platform 12 (see Fig. 3) which is

offset from the permanent storage compartment or enclosure 186 (see column 6, lines 55-68), which is provided on the dolly of Perelli, such as shown in Figs. 7 and 8. Enclosure 186 is a fixed, permanent part of the Perelli dolly. Admittedly, lid 32 has a latch element (178, 180) which engages a portion of a frame 157 (not a container as contended in the Office Action).

In summation, Perelli discloses a movable cart which includes a permanently formed upper lockable storage enclosure 186 (Figs. 7 and 8) which is adapted to be closed by a pivotally mounted cover 32. This locked storage enclosure is a permanent part of the cart, and thus would not suggest in any manner a cart having upper and lower shelves (neither of which are shown in Perelli) for slidably receiving and supporting individual containers thereon. Cover 32 and base 30 provides a secure closure for permanent storage component 186, and covers a semi-rigid bag 214 when the bag is suspended from a handle or frame 28 (Fig. 3). Cover 32 and base 30 are pivotally mounted and moved to a closed position with respect to a frame 28 as shown in Fig. 5 for closing the top of a semi-rigid vinyl outer bag 214 (column 8, lines 33-34), which is offset from the permanent storage enclosure 186 formed in the cart and closed by a cover or lid 32. Bag 214 is not a rigid container slidably received and supported in a stacked spaced vertical aligned relationship with another similar container on a lower support shelf as set forth in claim 22 as now amended.

Perelli basically shows a wheeled cart having a lower front extension provided by surface 34 (See Fig. 3) for supporting a container, a rigid frame or handle 28 extends outwardly from the opposite end of the dolly for suspending a bag therefrom, in combination with a rigid enclosure 186 which is permanently secured and formed as a part of the dolly

for subsequent closure by a pivotally mounted cover 32 which also can cover the bag suspended from handle 28. Clearly, it does not show a dolly having a pair of upper and lower shelves which are in a stacked spaced vertical aligned relationship as clearly shown by shelves 9 and 10 of Fig. 1 of Applicant's drawings, for slidably receiving a rigid container 23 therein as shown in Fig. 2, with the top opening of the top container being positioned by upper shelf 10 so that the lid 30, when in the closed position as shown in Fig. 3, closes the top opening of the container. A comparison of Applicant's Figs. 1-4 with respect to Fig. 3 of Perelli clearly shows that there is very little similarity therebetween. It is respectfully requested that should the Examiner still believe Perelli renders claim 22 unpatentable, that it be pointed out specifically where there is a pair of rigid containers which are slidably received and supported on a pair of shelves which are spaced in vertical stacked alignment with respect to each other to enable the Applicant to properly respond thereto.

Applicant admits that Hayes (4,821,903), Rauschenberger (EPO955224), and Toggweiler (CH310,381) may show some of the features of Applicant's invention set forth in several of the dependent claims. However, none of these references, individually or if properly combined with Perelli, show or disclose Applicant's invention as set forth in independent claim 22.

In view of the above discussion and amendment to claim 22, it is believed that claims 22, together with claims 4-7, 9-11, 13, 16, 19-21, and 23-32 dependent therefrom are allowable, and action to that effect is respectfully requested.

1. (previously presented) A dolly for transporting a plurality of containers, said dolly comprising:

a frame formed of tubular metal having an inverted U-shape with a pair of vertically extending side members and a curved end extending between said side members, and having front and rear sides;

wheels for moving the dolly;

at least upper and lower support shelves mounted in a spaced relationship on the frame and extending outwardly from the front side of the frame in a cantilever manner for supporting containers thereon; and

a lid movably mounted on the frame providing a cover for a container supported on the upper shelf, said lid having an arcuate groove formed therein complementary to the curved end of the frame.

2. (original) The dolly as defined in claim 1 wherein at least one basket is mounted on the rear side of the frame and extends downwardly along said frame.

3. (original) The dolly as defined in claim 2 wherein the basket is a generally U-shaped metal mesh screen.

4. (previously presented) The combination as defined in claim 26 wherein the receptacle has a substantially straight first side extending along the frame, a curved bottom, and a second side terminating in a top end, said second side being biased toward the first side by the curvature of the bottom.

5. (previously presented) The combination as defined in claim 4 wherein the top end of the second side of the receptacle terminates in an outwardly curved configuration.
6. (previously presented) The combination as defined in claim 4 wherein a slot is formed on the first and second sides of the receptacle adapted to receive a cord therethrough
7. (previously presented) The combination as defined in claim 22 wherein the upper and lower shelves are formed with a plurality of drainage holes.
8. (original) The dolly as defined in claim 1 wherein the upper and lower shelves have upwardly extending side walls and a back wall.
9. (previously presented) The combination as defined in claim 30 wherein mounting brackets extend outwardly from the back wall of the shelves; and in which fasteners secure the brackets to the upright frame to mount said shelves on the frame.
10. (original) The dolly as defined in claim 8 wherein projections are formed on the back wall to assist in positioning the containers on the shelves.
11. (previously presented) The combination as defined in claim 30 wherein the side walls have curved portions which merge into the back wall.
12. (original) The dolly as defined in claim 1 wherein the shelves are molded of plastic.

13. (previously presented) The combination as defined in claim 23 wherein the plastic is polypropylene.

14. Canceled

15. Canceled

16. (previously presented) The combination as defined in claim 22 wherein a plurality of holes are formed on a pair of side frame members for adjustably mounting at least the uppermost shelf thereon.

17. (original) The dolly as defined in claim 1 further including a cord holder thereon.

18. (original) The dolly as defined in claim 1 wherein a cutting mechanism is mounted thereon.

19. (original) The dolly as defined in claim 17 wherein the cord holder is mounted on the lid.

20. (original) The dolly as defined in claim 19 wherein a cutting mechanism is mounted on the lid adapted for cutting a cord.

21. (previously presented) The combination as defined in claim 22 wherein the lid is

dome-shaped and has a latch adapted to engage a container placed on the upper support shelf.

22. (currently amended) A combination comprising a plurality of rigid containers and a dolly for removably holding and transporting said containers, each of said containers being substantially rectangular parallelopiped with a top opening; said dolly having an upright frame with at least ~~a pair of~~ upper and lower support shelves mounted in a stacked spaced vertical aligned relationship thereon for slidably receiving and supporting the containers thereon, said shelves having open fronts for horizontally removing and placing the containers thereon; ~~and~~ a lid mounted on the frame and movable between open and closed position, said lid being which is complementary to the in shape and size of to the top opening of the upper-most container supported on the upper support shelf, said upper support shelf being spositioned whereby said lid for selectively matingly engaging engages and closing closes said top opening of ~~said upper-most the~~ the container mounted on the upper support shelf when in the closed position.

23. (original) The combination defined in claim 22 wherein the dolly has an inverted U-shaped frame formed of tubular metal; and in which the shelves and containers are formed of plastic.

24. (previously presented) The combination defined in claim 22 wherein a pair of wheels are mounted on the frame for movably mounting the dolly.

25. (previously presented) The combination defined in claim 24 wherein a receptacle is mounted on and extends downwardly along an opposite side of the frame from the shelves.

26. (previously presented) The combination defined in claim 25 wherein the receptacle is formed of a U-shaped metal mesh screen.

27. (original) The combination defined in claim 22 wherein a cord holder and cutter mechanism is mounted on the lid.

28. (previously presented) The combination defined in claim 22 wherein the containers have a bottom wall and a plurality of sidewalls tapered inwardly downwardly from the top opening to said bottom wall.

29. (previously presented) The combination defined in claim 22 wherein a latch is formed on the lid and configured to clip over a rim defining the top opening of the uppermost container.

30. (previously presented) The combination defined in claim 27 wherein the cutter mechanism includes a cutting tongue located within the lid; and in which an access slot is formed in the lid to provide access for a cord to the cutting blade for severing a length of cord from the cord holder.

31. (previously presented) The combination defined in claim 30 wherein the lid includes a dome-shaped portion; in which the cutting tongue is located within said dome; and in which the slot is formed in the dome to provide access to the cutting tongue.

32. (previously presented) The combination as defined in claim 29 wherein the shelves have upwardly extending side walls and a back wall, and projections formed on the back wall to engage a back wall of the container to assist in positioning the containers on the shelves so that the lid properly engages the rim of the uppermost container.